

TOPICS

- ICAC Task Force
- Social Network Sites/Apps
- Receiving Complaints
- Digital Evidence Collection
- De-confliction
- Jurisdiction Issues
- Social Media Investigations
- Preservation Requests, Court Orders, Search Warrants
- Describing Child Pornography
- Enticement Investigations
- ICAC Investigations – Best Practices
- Case Study

Saturday Night Live



Purpose of ICAC Program

The mission of the Internet Crimes Against Children (ICAC) Task Force program is to assist state and local law enforcement agencies in developing an effective response to cyber enticement and the production, possession, and distribution of unlawful images, contraband images, and images depicting the sexual exploitation of minors.

This support encompasses forensic and investigative components, training and technical assistance, victim services, prevention and

Utah Attorney General's Office ICAC Task Force

- ICAC Task Force
- Funding
- Affiliates
- Training Requirements
- Full-time Agents
- How we've evolved (Enticement to P2P)
- When To Call Us

ICAC Task Force Proactive Investigations

- ▣ **P2P Networks**
 - BitTorrent
 - ARES
 - Gnutella
 - Edonkey
- ▣ **Enticement of Minor**
 - Undercover Chat
 - On-Line Ads

ICAC Task Force Reactive Investigations

- NCMEC CyberTipline Reports
- CyberTipline Reports are filed by:
 - Electronic Service Providers
 - Citizens
- 1999 legislation requires ESPs to report child pornography and child sexual exploitation directly to the CyberTipline
- ESPs are not required to actively search for child pornography within their systems

Utah Attorney General's Office ICAC Task Force

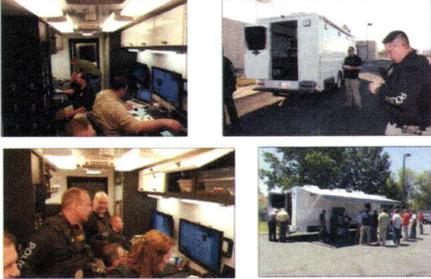
2014 – Utah ICAC Task Force Stats:

- 76 traveler/enticement investigations
- 143 CP manufacture cases
- 752 CP distribution cases
- 957 CP investigations
- 186 arrests
- 24 identified children/victims
- 1067 search warrants (residential, computer, ESP)
- Community Outreach: 451,063

ICAC Task Force Mobile Forensic Lab



Mobile Forensic Lab



Social Media/Apps



Kids and Mobile Apps

Up to 8 year olds, 72% have used mobile devices which enables them access to apps



Receiving Complaints

Do you have a crime?

Parent complaint

- o Is their child a suspect/victim?
- o Have they reported to other LEAs?
- o CJC Interviews
- o Criminal Charges vs. Education Opportunity

Electronic Service Providers

- o Typically report one of their users
- o Enticement vs. Possession/Distribution of CP

Electronic Evidence

- o CD / DVD / Blu-ray Disc
- o Thumb Drive / Flash Memory / SD cards
- o Tablet / cell phone / digital camera
- o Laptop computer
- o Hard Disc Drives (HDD)
 - o Internal / external
- o Desktop Computer/ Networked CPU
- o Smart TV

Electronic Evidence Identifying and Seizing

- n Document the scene (photograph)
 - o Follow the cords
- n Encryption
 - o Ask for the password(s)
 - o Do Not turn off the computer
 - o Get HELP
- n Cloud Storage
 - o Dropbox, OneDrive, Google Drive
- n Computers
 - o If off, leave off
 - o Don't access files on scene

De-confliction

- o ICAC Data System
 - National Deconfliction Database
 - icacdatasystem.com
- o ecuassistance@ncmec.org
 - 1-877-446-2632
- o Call ICAC Task Force
- o Call LE Jurisdiction
- o Do all you can before you spend the time...

76-1-201, Jurisdiction of Offenses

- (1) A person is subject to prosecution in this state for an offense which he commits, while either within or outside the state, by his own conduct or that of another for which he is legally accountable, if:
- o (a) **the offense is committed either wholly or partly within the state.**
 - o (b) the conduct outside the state constitutes an attempt to commit an offense within the state;
 - o (c) the conduct outside the state constitutes a conspiracy to commit an offense within the state and an act in furtherance of the conspiracy occurs in the state; or
 - o (d) the conduct within the state constitutes an attempt, solicitation, or conspiracy to commit in another jurisdiction an offense under the laws of both this state and the other jurisdiction.
- (2) **An offense is committed partly within this state if either th**

Social Media

- o What social network site/app used?
 - o How does it work and what does it offer?
- o What information do you have on victim and suspect?
 - o E-mail Address
 - o User Name
 - o Cell Phone #
 - o IP Address
- o What can you get from this information?
- o You may have to go through several processes to get what you need

Legal Process Requirements

- IP Address
 - Need date and time IP was used
- Cell Phone #
 - General time frame phone # was used
- ESP User Name
 - Need date/time it was used
 - You can request IP logs for a time period
- Email Address
 - Need date it was used
 - You can request IP logs for a time period

Legal Process

- Electronic Service Provider (ESP) Website
- Law Enforcement Guidelines
- Preservation Request
- Legal Process
 - What do you want?
 - Where do you send legal documents?
- [Search.org](#)
- Number Portability Administration Center (phones), www.npac.com (account required)
- www.Zetx.com (no account required)

Conventional Boundaries

- Virtually meaningless
- Time, place and distance lose their relevance
- Identifying out-of-state offenders
- www.icactaskforce.org
 - Contact Us > ICAC Task Force Contacts
- Notify SSA Jessica Farnsworth
 - 801-580-4165
 - jfarnsworth@utah.gov

Preservation Order

What needs to be in your request?

- o Use the ESP verbiage (refer to LE Guidelines)
- o Statute Requirement
- o User e-mail/name
- o Date/Case #
- o Preserve the entire account & associated accounts
- o Typically, account will be preserved for 90 days
- o Confirmation from ESP that PO was received
- o Sample Letter from ICAC

Court Orders

- o Statute 77-22-2.5
- o Criteria
 - o Sexual offense against a minor
 - o Stalking
 - o Child kidnapping
 - o Electronic communication system was used
- o Articulate reasonable suspicion
- o Be able to show that an electronic communication system, service or remote computing service was used

Court Orders

LE must list IP address, email address, telephone number or other identifier (user name) and the date(s) and time(s) suspected of being used in the commission of the offense

LE must present the court order to a prosecutor (county attorney, district attorney, or attorney general) for review and authorization/signature

LE must present the request for court order to a district court judge for approval signature. Then file with the court.

Court Orders

- o Find ESP contact information for law enforcement at search.org or ESP's website.
- o Fax or email
- o Most ESPs have an emergency service (imminent danger of death)
- o How long will it take to get the results?
 - Well, that depends on the ESP being served...
- o ESPs are required to produce name of subscriber, address, user records and session times/durations, temporary assigned network address and IP logs.
- o **NO CONTENT!!!**

Search Warrants

- n Electronic Service Providers
 - o Search warrant required for content
 - o Refer to ESP law enforcement guidelines for correct verbiage
- n Computers & Cell Phones
 - o Don't stop at consent
 - o If seized on a residential search warrant, US v. Brent Ray Brooks requires a second search warrant
- n Residential
 - o Remember, perps typically don't delete their cp collections so staleness is not an issue
- n eWarrants
 - o We're working on that..

Child Pornography - How Do You Know if He/She is a Minor?



Child Pornography or CAM/CEM

United States v. Dost, 1986

- o Whether the focal point of the visual depiction is on the child's genitalia or pubic area.
- o Whether the setting of the visual depiction is sexually suggestive, i.e., in a place or pose generally associated with sexual activity.
- o Whether the child is depicted in an unnatural pose, or in inappropriate attire, considering the age of the child.
- o Whether the child is fully or partially clothed, or nude.
- o Whether the visual depiction suggests sexual coyness or a willingness to engage in sexual activity.
- o Whether the visual depiction is intended or designed to elicit a sexual response in the viewer.

Child Pornography Descriptions

n Describe what it is

- o Video, length, color or black and white
- o Image, color or b/w

n Describe the subjects involved:

- o Age or state of development (adult male, prepubescent, pubescent, approximately age 10-12)
- o State of dress of the subjects (clothed, unclothed, partially clothed)

n Describe the acts observed:

- o If it involves multiple sex acts– describe each act
Use legal definitions (e.g. oral sodomy as opposed to oral sex)
- o If it involves "sexually explicit conduct" (76-5b-103 (10)(e)(f) describe dress, pose, focal point of the image

Description Example

File path: 14044-1_1/Partition
1/[NTFS]/[root]/Applications/EmuleIncoming/C
P/PTHC_!!! New- 10 yo- Lolita

Title: PTHC_!!! New- 10 yo- Lolita

Description: This evidence was found on Item 14044-1_1, the Seagate 1.5 TB hard drive in the Custom Antec Tower. It is a 20:53 minute video depicting a naked prepubescent female being sexually abused by an adult male. The video shows a nude adult male orally sodomizing and anally raping the prepubescent child.

Enticement Cases

- o State law is specific – 76-4-401
- o Is the child at risk?
- o Assume child's account? Child won't tell you everything... Pros and Cons
- o Don't carry on the chat if you have enough for an arrest. No need to meet for sex act.
- o Move perp over to a new account. If he follows you, you'll know child hasn't told him.

Assuming Control of Accounts

- o Signed Document
- o Preserve Account
- o Change Password
- o Are you trained in UC work?
 - o DOJ Requirements
- o Entrapment issues
 - o DO NOT initiate sexual conversation
 - o DO NOT let a parent pretend to be child
 - o DO NOT use a real child

ICAC National Operational & Investigative Standards

- o Undercover Chat
 - o Only sworn personnel
 - o Do not send contraband
- o Undercover profiles
 - Over 18yoa
 - Employed by LE agency
 - Written consent
- o Target should set tone, pace, subject matter.
- o Target shall initiate image transfer
- o Undercover online activity recorded and documented
 - Camtasia, Callyo

ICAC National Operational & Investigative Standards

- o Always de-conflict your case
- o Conduct Intel
- o Seizing computer equipment
- o Evidence
 - o Do not release contraband back to suspect
 - o Retrieving personal data from suspect computer
- o Victim Identification
 - o Submit known victim images/videos to NCMEC CVIP
- o Media & Confidential Investigative Techniques

ICAC Task Force, Education Specialist

- o Internet Safety
 - o Sexting
 - o Cyberbullying
 - o Internet Predators
 - o Hottest apps for kids
- o Presents to:
 - o Parents, youth, colleges, churches, youth in treatment, girl/boy scouts, professional groups
- o Conferences and booths at community events
- o Contact: Michelle Busch-Upwall, 801.281.1245, mbusch-upwall@utah.gov

Questions?



Case Study
